

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

KALLIOPE NICHOLAS,)
Plaintiff,) CIVIL ACTION NO. 05 10814 RGS
V.)
HOME DEPOT USA, INC.,)
Defendant.)

JOINT MOTION TO ENLARGE TIME

The parties jointly respectfully move the Court to adjust the schedule pertaining to this action as follows:

Fact Discovery and Expert Designation completed 1/31/2006
Case Deemed Ready for Trial 2/28/2006

As the reasons therefore, the parties state as follows:

- (1) that counsel have been working cooperatively but hindered by (a) conflicts among counsels' respective schedules, (b) the Defendant's desire for a confidentiality agreement in advance of releasing certain materials, (c) limited availability of some of the Defendant's personnel and information, and (d) Mrs. Nicholas's on-going medical treatment; and
- (2) from a discovery standpoint, the Plaintiff desires to take three depositions which will total less than one half of a day of deposition time – these are of a Home Depot employee who the parties understand to be out of work on leave, a possible percipient witness, and a Home Depot security person identified as the person responsible for identifying and securing certain video evidence related to the evidence.

Respectfully submitted,

Plaintiff,
KALLIOPE NICHOLAS,
By her attorney,

J. Michael Conley (BBO# 094090)
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Defendant,
HOME DEPOT USA, INC.,
By its attorney,

Christopher A. Callanan
Christopher A. Callanan (BBO# 630649)
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One Constitution Plaza
Boston, MA 02129
Telephone: 617-241-3000

Dated: December 21, 2005

CERTIFICATE OF SERVICE

I hereby certify that on this date I forwarded a copy of the foregoing to counsel of record.
Signed under the pains and penalties of perjury this 21st day of December 2005.

J. Michael Conley
J. Michael Conley (BBO# 094090)